

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	Case No. 4:05CR3139
Plaintiff,)	
)	
v.)	
)	<u>ORDER</u>
FERNANDO ESPARZA-MORALES,)	
)	
Defendant.)	

THIS MATTER comes before the Court on defendant's Motion to Withdraw and Appoint New Counsel, filing 30. The Court, being fully advised in the premises, finds that said Motion should be granted.

IT IS THEREFORE ORDERED that Assistant Federal Public Defender John C. Vanderslice and the Federal Public Defender's office shall be permitted to withdraw as counsel of record for Mr. Esparza-Morales. It is further ordered that the Federal Public Defender's office shall contact a CJA panel attorney to represent Mr. Esparza-Morales in the above captioned matter, pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A, and shall forthwith provide this Court with a draft appointment order (CJA Form 20) bearing the name and other identifying information of the CJA Panel attorney identified in accordance with the CJA Plan for this District. **The Clerk is directed to remove Mr. Vanderslice from all future ECF notifications in this case.**

Defendant's jury trial, now set for June 26, 2006, shall be continued until the 21st day of August, 2006, at 9:00 a.m. The time between today's date and the date now scheduled for trial shall be excluded from any speedy trial calculation because this is the second time that counsel has been changed in this matter. Thus, the Court finds the ends of justice served by giving new counsel and defendant adequate time to meet and determine how

best to proceed outweighs the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161 (h)(8)(A).

Dated this 20th day of June, 2006.

BY THE COURT

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge